

**Notice of Allowability**

Application No.

09/729,495

Examiner

Thien D. Tran

Applicant(s)

YUN ET AL.

Art Unit

2665

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/18/2005.
2. ☒ The allowed claim(s) is/are 1-5, 7-13 renumbered as 1-12 respectively.
3. ☒ The drawings filed on 28 June 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

Regarding claims 1, 8, 10, the prior arts fail to teach or fairly suggest an apparatus or method for assigning orthogonal codes used for a first system and a second system in a CDMA system, comprising the steps of:

assigning to the first system channels orthogonal codes, each being a Walsh code with a length of  $m$  chips, taking as a root at least one of 4-chip Walsh codes being of  $W_0 = 0000$ ,  $W_1 = 0101$ ,  $W_3 = 0110$ ; and

assigning to the second system channels orthogonal codes, each being a Walsh code with a length shorter than  $m$  chips, taking as a root remaining 4-chip Walsh codes excepting the 4-chip Walsh codes assigned to the first system channels, in combination with other limitations as specified in the independent claims 1, 8, 10.

Regarding claim 12, the prior arts fail to teach or fairly suggest a channel receiving apparatus in a CDMA system, comprising:

an orthogonal code assignor including a table comprised or orthogonal codes to be assigned to the channels of a first system and orthogonal codes to be assigned to a second system, wherein Walsh codes assigned to the first system are Walsh codes with a length of  $m$  chips, taking as a root at least two of 4-chip Walsh code of  $W_0 = 0000$ ,  $W_1 = 0101$ ,  $W_2 = 0011$ ,  $W_3 = 0110$ , and the Walsh codes assigned to the second system are Walsh codes with a length of below  $m$  chips, taking as a root the remaining 4-chip

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Walsh codes excepting the 4-chip Walsh code used in the first system, in combination with other limitation as specified in the independent claim 12.

**Conclusion**

2. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (571) 272-3156. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

Patent Examiner

Thien Tran

**DUCHO  
PRIMARY EXAMINER**

*Ducho*  
8-5-05